



**MUNICIPAL CLERK
CITY OF ATLANTA**

02-0-0267

AN ORDINANCE

BY COUNCILMEMBER CLETA WINSLOW

**AN ORDINANCE TO ABANDON THAT
PORTION OF WELLBORN STREET, SW FROM
WEST END AVENUE, SW TO THE PREVIOUSLY
ABANDONED PORTION OF WELLBORN
STREET, SW; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has received a formal request from Morehouse College, the abutting property owner, to abandon a portion of certain streets for the purpose of using the property for their own private use; and

WHEREAS, the abandoned rights-of-way shall become part of the abutting owner's private property and their responsibility to maintain, operate, and provide all services and utilities; and

WHEREAS, the request to abandon said streets has been reviewed by the proper City agencies and by all public utilities.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1: That Wellborn Street, S.W. from the intersection of West End Avenue to that previously abandoned portion of Wellborn Street, S.W. lying and being in Land Lot 108 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and the same is hereby declared no longer useful or necessary for the public's use and convenience.

Section 2: The City's intent is hereby given that said street shall be abandoned.

Section 3: That Morehouse College has agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.

Section 4: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to



in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

Section 5: That the Director of the Bureau of Purchasing and Real Estate is hereby directed to have prepared an appraisal of the fair market value of the right-of-way to be abandoned and perform all other responsibilities concerning this proposed abandonment, as outlined in the City's Code of Ordinances, including Section 2-1578.

Section 6: That all costs associated with the appraisal of the subject property and all costs associated with the advertising of this petition for abandonment shall be charged to and paid from Account Number 1A01-524001-G55001.

Section 7: That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon receipt of payment from the petitioner in the amount of the appraised fair market value of the property, or the satisfaction of any alternative conditions under Section 2-1578 of the City's Code of ordinances, the City Attorney is hereby directed to prepare a Quit Claim Deed and other appropriate documents to effectuate the abandonment authorized by this ordinance.

Section 8: That the Mayor is hereby authorized to execute said Quit Claim Deed and other necessary documents, as determined by the City Attorney, for the abandoned street right-of-way to Morehouse College.

Section 9: Upon execution, all documents shall be filed and recorded with the Clerk of Superior Court of Fulton County.

Section 10: That all code sections, ordinances, and parts of code sections and ordinances in conflict with this ordinance are waived.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAR 18, 2002
MAR 26, 2002

RCS# 3610
3/18/02
2:31 PM

Atlanta City Council

Regular Session

02-O-0267 Abandon portion of Welborn St., SW from
 West End Ave., SW
 ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

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(Do Not Write Above This Line)

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ADOPTED BY

MAR 18 2002

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 2/4/02

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee City Utilities
Date 2-12-02
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
MAR 18 2002
ATLANTA CITY
Catherine Williams
PRESIDENT

CERTIFIED
MAR 18 2002
Randy Douglas
MUNICIPAL CLERK

MAYOR'S ACTION

MAR 26 2002

Stanley Franklin

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW